REC'd PCT/PTO 25 JAN 2005





# **PCT**

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file as	<u> </u>		
Applicant's or agent's file reference FI-3803	FOR FURTHER A	ACTION	See Form PCT/IPEA/416
		ate (day/month/year)	Priority date (day/month/year)
PCT/JP2003/009444 25 July 200		3 (25.07.2003)	29 July 2002 (29.07.2002)
International Patent Classification (IPC) or national classification and IPC C07C 5/27, 7/14, 13/615			
Applicant  IDEMITSU PETROCHEMICAL CO., LTD.			
This report is the international prelin     Authority under Article 35 and trans	ninary examination resmitted to the applicant	port, established by this according to Article 3	s International Preliminary Examining 6.
2. This REPORT consists of a total of	5 sheets	s, including this cover s	· sheet.
3. This report is also accompanied by A	ANNEXES, comprising	g:	
a. (sent to the applicant and	to the International B	ureau) a total of	sheets, as follows:
sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).  sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.  b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s))  readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).			
4. This report contains indications relati	_	ems:	
	Box No. I Basis of the report		
Box No. II Priority			
		gard to novelty, inventi	ive step and industrial applicability
Box No. IV Lack of unity of invention			
Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement			
	in the international ap	plication	
Box No. VIII Certain observations on the international application			
Date of submission of the demand  Date of completion of this report		f this report	
20 January 2004 (20.01.2	2004)	_	etober 2004 (13.10.2004)
Name and mailing address of the IPEA/JP		Authorized officer	
Facsimile No.		Telephone No.	

Translation



Internation application No.

PCT/JP2003/009444

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
This report is based on translations from the original language into the following language which is language of a translation furnished for the purpose of:
international search (under Rules 12.3 and 23.1(b))
publication of the international application (under Rule 12.4)
international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (replacement sheets which have bee furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed and are not annexed to this report):  The international application as originally filed/furnished the description:  pages pages* received by this Authority on pages* received by this Authority on the claims:
pages, as originally filed/furnish
, as amended (together with any statement) under Article
received by this Authority on
received by this Authority on
the drawings:
pages, as originally filed/furnish
received by this Authority on
pages* received by this Authority on
a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. The amendments have resulted in the cancellation of:
the description, pages
the claims, Nos.
the drawings, sheets/figs
the sequence listing (specify):
any table(s) related to sequence listing (specify):
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).  the description, pages the claims, Nos. the drawings, sheets/figs the sequence listing (specify): any table(s) related to sequence listing (specify):
* If item 4 applies, some or all of those sheets may be marked "superseded."  Form PCT/IPEA/409 (Box No. D. (January 2004)

Box No.IV   Lack of anilty of invention	Box N	o. IV	Lack of unity of invest
restricted the claims.    paid additional fees under protest.   paid additional fees under protest.   paid additional fees under protest.   neither restricted nor paid additional fees.   2.			
paid additional fees under protest.  Ineither restricted nor paid additional fees.  2. This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.  3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is complied with.  It is considered that the invention relating to claims 1-7, the invention relating to claims 8-11, the invention related to claims 12-16 and the invention relating to claims 17-22 are identical to each other in the method for producing an adamantane by isomerizing a tricyclic saturated hydrocarbon compound with 10 or more carbon atoms, wherein a crystallization method is used for purifying the adamantane. However, producing an adamantane by isomerizing a tricyclic saturated hydrocarbon compound with 10 or more carbon atoms and using a crystallization method for purifying the adamantane are publicly known methods as disclosed in document [1P, 50-3515], A (Mitsubishi Gas Chemical Co., Inc.), especially see page 4, Therefore, it cannot be considered that there is any technical relationship among the subject matters of claims 1-7, the subject matters of claims 8-11, the subject matters of claims 12-16 and the subject matters of claims 8-11, the subject matters of claims 12-16 and the subject matters of claims 8-11, the subject matters of claims 18-11, the invention relating to claims 1-7, the invention relating to claims 1-7, the invention relating to five normalization of inventions so linked as to form a single general inventior claims 1-7, the invention relating to five normalization of inventions included in the present international application is 4.	" -	,	
paid additional fees under protest.    paid additional fees under protest.   neither restricted nor paid additional fees.   This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.   This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is     complied with.   Not complied with for the following reasons:     It is considered that the invention relating to claims 1-7, the invention relating to claims 8-11, the invention related to claims 12-16 and the invention relating to claims 17-22 are identical to each other in the method for producing an adamantane by isomerizing a tricyclic saturated hydrocarbon compound with 10 or more carbon atoms, wherein a crystallization method is used for purifying the adamantane. However, producing an adamantane by isomerizing a tricyclic saturated hydrocarbon compound with 10 or more carbon atoms and using a crystallization method for purifying the adamantane are publicly known methods as disclosed in document [1P, 50-3515], A (Mitsubishi Gas Chemical Co., Inc.), especially see page 4, Therefore, it cannot be considered that there is any technical relationship among the subject matters of claims 1-7, the subject matters of claims 8-11, the invention relating to claims 1-7, the invention relating to laims 18-10, the invention relating to claims 1-7, the invention relating to laims 1-7, the invention relating to laims 8-11, the invention relating to laims 8-1	İ		
neither restricted nor paid additional fees.  2. This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.  3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is complied with.    complied with.			
This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.  3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is complied with.    complied with.   complied with for the following reasons:   It is considered that the invention relating to claims 1-7, the invention relating to claims 8-11, the invention related to claims 12-16 and the invention relating to claims 17-22 are identical to each other in the method for producing an adamantane by isomerizing a tricyclic saturated hydrocarbon compound with 10 or more carbon atoms, wherein a crystallization method for purifying the adamantane are publically known examples of the standard of the saturated hydrocarbon compound with 10 or more carbon atoms and using a crystallization method for purifying the adamantane are publically known methods as disclosed in document [JP, 50-35151, A (Mitsubishi Gas Chemical Co., Inc.), especially see page 4. Therefore, it cannot be considered that there is any technical relationship among the subject matters of claims 1-7, the subject matters of claims 12-16 and the subject matters of claims 17-22 involving the same or corresponding technical feature.  So, the invention relating to claims 1-7, the invention relating to claims 8-11, the invention relating to claims 12-16 and the invention relating to 17-22 are not considered to be a group of inventions so linked as to form a single general inventive concept. The number of inventions included in the present international application is 4.	1		
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all parts.	method more ca  For more method Exampl Claims Claims S Claims	for parbon However carb s as de 1]. Theref 1-7, th 17-22 o, the	atoms, wherein a crystallization method is used for purifying the adamantane. Wer, producing an adamantane by isomerizing a tricyclic saturated hydrocarbon compound with 10 or ever, producing an adamantane by isomerizing a tricyclic saturated hydrocarbon compound with 10 on atoms and using a crystallization method for purifying the adamantane are publicly known isclosed in document [JP, 50-35151, A (Mitsubishi Gas Chemical Co., Inc.), especially see page 4, so, these common matters cannot be technical features contributing over the prior art. For example, it cannot be considered that there is any technical relationship among the subject matters of involving the same or corresponding technical feature.  In subject matters of claims 1-7, the invention relating to claims 8-11, the invention relating to and the invention relating to 17, 22 are returned to the subject matters of relating to claims 1-7, the invention relating to claims 8-11, the invention relating to
all parts.			
all parts.	. Consec	luently	, this report has been established in respect of the following parts of the international application:
the parts relating to claims Nos		_	
—————·		] th	e parts relating to claims Nos.
OFF PCT/IPEA/400 CD N. T.D. C.	nom nom	/IDE 4	400 CD 21 TO 15

Box No. V	Reasoned states	PC1/JP03/09444
	Reasoned statement under Article 35(2) with regard to novelty, inventive citations and explanations supporting such statement	sten or industrial applicability
	citations and explanations supporting such statement	orep or industrial applicability;
_		

Claims	2.4.0.11.10.10	
<u> </u>	2-4, 8-11, 13, 18	YES
Claims	1, 5-7, 12, 14-17, 19-22	NO
Claims		
Claims	1-22	YES
Claims		
Claims	1-22	YES
	Claims Claims Claims Claims	Claims 1, 5-7, 12, 14-17, 19-22  Claims 1-22  Claims 1-22

# 2. Citations and explanations (Rule 70.7)

Document 1: JP, 50-35151, A (Mitsubishi Gas Chemical Co., Inc.), 3 April, 1975 (03.04.75)

Document 2: JP, 2001-151706, A (Mitsubishi Gas Chemical Co., Inc.), 5 June, 2001 (05.06.01)

Document 3: US, 3944626, A (Kosaku Honna, Nobuaki Shimizu and Konomu Kurisaki), 16 March, 1976

# (1) Claims 1 and 5-7

The subject matters of claims 1 and 5-7 do not appear to be novel or to involve an inventive step in view of documents 1 and 2 cited in the ISR.

Documents 1 and 2 respectively describe a method for producing an adamantane by isomerizing a tricyclic saturated hydrocarbon compound with 10 or more carbon atoms, wherein the adamantane is purified by crystallization. Furthermore, particularly what means are used to perform a concentration step and a crystallization step is a matter a person skilled in the art could have decided as required. A person skilled in the art could have also introduced a recrystallization step.

## (2) Claims 2-4

The subject matters of claims 2-4 do not appear to involve an inventive step in view of documents 1-3. See the above (1). Furthermore, obtaining a tricyclic saturated hydrocarbon compound with 10 or more carbon atoms by hydrogenating an unsaturated hydrocarbon compound is a publicly known method for a person skilled in the art, as disclosed in document 3. Moreover, using a solid catalyst in an isomerization reaction is also a publicly known method for a person skilled in the art, as described in document 3.

Therefore, a person skilled in the art could have easily employed these methods.

# Supplemental Box

In case the space in any of the preceding boxes is not sufficient. Continuation of: V2

## (3) Claims 8-11

The subject matters of claims 8-11 do not appear to involve an inventive step in view of documents 1-3. Documents 1 and 2 respectively describe a method for producing an adamantane by isomerizing a tricyclic saturated hydrocarbon compound with 10 or more carbon atoms, wherein the adamantane is purified by crystallization. Furthermore, using a solid catalyst in an isomerization reaction is a publicly known method for a person skilled in the art, as described in document 3, and a person skilled in the art could have easily employed this method.

# (4) Claims 12 and 14-16

The subject matters of claims 12 and 14-16 do not appear to be novel or to involve an inventive step in view of documents 1 and 2.

Documents 1 and 2 respectively describe a method for producing an adamantane by isomerizing a tricyclic saturated hydrocarbon compound with 10 or more carbon atoms, wherein the adamantane is purified by crystallization. Furthermore, washing with a washing solvent after crystallization is also described in documents 1 and 2.

#### (5) Claim 13

The subject matter of claim 13 does not appear to involve an inventive step in view of documents 1-3. See the above (4). Furthermore, isomerizing trimethylenenorbornane for purifying an adamantane is a publicly known method for a person skilled in the art, as described in document 3, and a person skilled in the art could have easily employed this method.

# (6) Claims 17 and 19-22

The subject matters of claims 17 and 19-22 do not appear to be novel or to involve an inventive step in view of document 1.

Document 1 describes a method for producing an adamantane by isomerizing a tricyclic saturated hydrocarbon compound with 10 or more carbon atoms, wherein crystals are dried.

#### (7) Claim 18

The subject matter of claim 18 does not appear to involve an inventive step in view of documents 1 and 3. See the above (6). Furthermore, isomerizing trimethylenenorbornane for purifying an adamantane is a publicly known method for a person skilled in the art, as described in document 3, and a person skilled in the art could have easily employed this method.



特許協力条約

#### РСТ

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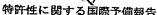
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# 特許性に関する国際予備報告 (特許協力条約第二章)

(法第12条、法施行規則第56条) (PCT36条及びPCT規則70]

(**************************************	9EXU103		
出願人又は代理人 の書類記号 FI-3803	今後の手続きについては、様式PCT/IPEA/416を参照すること。		
国際出願番号 PCT/JP03/09444	国際出願日 (日.月.年) 25.07.2003 優先日 (日.月.年) 29.07.2002		
国際特許分類 (IPC) Int. Cl'	C07C5/27, 7/14, 13/615		
.出願人 (氏名又は名称)			
	出光石油化学株式会社		
1. この報告書は、PCT35条に基づき 法施行規則第57条 (PCT36条) の	この国際予備審査機関で作成された国際予備審査報告である。 D規定に従い送付する。		
2. この国際予備審査報告は、この表紙を	含めて全部で 5 ページからなる。		
3. この報告には次の附属物件も添付され a	.ている。 ページである。		
□ 補正されて、この報告の基礎 囲及び/又は図面の用紙(P	とされた及び/又はこの国際予備審査機関が認めた訂正を含む明細書、請求の範 CT規則70.16及び実施細則第607号参照)		
第 I 欄4 及び補充欄に示したように、出願時における国際出願の開示の範囲を超えた補正を含むものとこの 国際予備審査機関が認定した差替え用紙			
b 【】 電子媒体は全部で 配列表に関する補充欄に示すように、コンピュータ読み取り可能な形式による配列表又は配列表に関連するテー ブルを含む。(実施細則第802号参照)			
4. この国際予備審査報告は、次の内容を	含む。		
<ul><li>図 第 I 欄 国際予備審査報告の基礎</li><li>□ 第 I 欄 優先権</li><li>□ 第 I 欄 新規性、進歩性又は産業上の利用可能性についての国際予備審査報告の不作成</li><li>図 第IV欄 発明の単一性の欠如</li></ul>			
X  第V欄 PCT35条(2)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明 第VI欄 ある種の引用文献   第VI欄 国際出願の不備			
第四欄 国際出願に対する	意見 		
国際予備審査の請求書を受理した日 20.01.2004	国際予備審査報告を作成した日 13.10.2004		
名称及びあて先	特許庁審査官(権限のある職員) 4H 8413		
日本国特許庁(IPEA/JP)	特許庁審査官(権限のある職員) 4H 8413		
郵便番号100-8915 東京都千代田区段が関三丁目4番3	次 吹 智 子 · · · · · · · · · · · · · · · · · ·		
	電話番号 03-3581-1101 内線 3443		







第I欄	報告の基礎	
1. この	国際予備審査報告は、下記に示す場合を除くほ	か、国際山阪の会館をササン・
	の報告は、語による翻訳文	
	TUL、 次の目的で提出された翻訳文の言語でお	<b>あ</b> ス
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· 🏻	PCT規則12.4にいう国際公開	•
	PCT規則55.2又は55.3にいう国際予備審査	·
2 ~ m±	8年は下記の山原の本本・サオリ	
た差替え	8日は「配の田願骨類を基礎とした。 (法第69   紙は、この報告において「出願時」とし、この	条 (PCT14条) の規定に基づく命令に応答するために提出さ
	·	の報音に統列していない。) ・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・
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」 第		出願時に提出されたもの
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第	ページ/図*、	
	列表又は関連するテーブル	
<u> </u>	配列表に関する補充欄を参照すること。	·
3. □ 補	Tir his Terror and the same and	•
, . [ 1⊞.	正により、下記の售類が削除された。	
	明細書第	•
	請求の範囲第	ページ 項
H	図面 第	
片	配列表(具体的に記載すること)	
ы	配列表に関連するテーブル(具体的に記載す	ること)
. ∐ <u> </u>	>報告は、補充欄に示したように、この報告に	添付されかつ以下に示した補正が出願時における開示の範囲を超
えて	ではいたものと認められるので、その補正がされる。	れなかったものとして作成した。 (PCT規則70.2(c))
	明細魯第	,
	請求の範囲第	ページ
	図面 第	
님	配列表 (具体的に記載すること)	
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		•
4. に診	当する場合 その田紙に ************************************	
	当する場合、その用紙に "superseded"と記入 し	<b>、され</b> ることがある。
	<u>-</u>	

様式PCT/IPEA/409 (第I欄) (2004年1月)

特許性に関する国際予備報告	国際出願番号 PCT/JP03/09444
第IV欄 発明の単一性の欠如	
1. 請求の範囲の減縮又は追加手数料の納付の求めに対して、出	出願人は、
: 請求の範囲を減縮した。	
追加手数料の納付と共に異議を申立てた。	•
. ・ 請求の範囲の減縮も、追加手数料の納付もしなかった。	
2. 国際予備審査機関は、次の理由により発明の単一性の要件 に従い、請求の範囲の減縮及び追加手数料の納付を出願人	を満たしていないと判断したが、PCT規則68.1の規 に求めないこととした。
3. 国際予備審査機関は、PCT規則13.1、13.2及び13.3に規定	する発明の単一性を次のように判断する。
□ 満足する。	-
区 以下の理由により満足しない。	
請求の範囲1-7に係る発請求の範 12-16に係及び請求の範別では、 表ででは、 表ででは、 をでは、 をでは、 をでは、 をでは、 をでは、 をでは、 をでは、	アと2に係る発生に係る発生に係る発生に保いる。 一を異性化には多が、大力を関点である。 を実施している。 を実施して対象がである。 を実施して対象がである。 を実施して対象がである。 を異性化にもありますが、はいたのでは、 を異性化にもないでは、 を異性化ながある。 を異性化ながある。 を異性にありますが、 があれる。 ののでは、 のの

4.	したがって、	国際出願の次の部分について、	この報告を作成した
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目 請求の範囲

に関する郊今



国際出願番号 PCT/JP03/09444

箆V糊	新相供 港場州では卒業しのが田一へい		
אמר ז כוכ	新規性、進歩性又は産業上の利用可能性についての法第12条 それを再付ける文献B755円	(PCT35条(9))	に会める日朝
	それを裏付ける文献及び説明	(1 0 1 3 3 <del>x</del> (2))	にためる元件、
	The state of the s		

見解

新規性 (N)

請求の範囲 請求の範囲

2-4, 8-11, 13, 1812. 14 - 17

有

進歩性(IS)

請求の範囲 請求の範囲

有  $1 - 2 \ \overline{2}$ 

産業上の利用可能性 (IA)

請求の範囲 請求の範囲

右

文献及び説明 (PCT規則70.7)

50-35151 A (三菱瓦斯化学株式会社) 文献1: JP

1975.04.03

2·001-151706 A (三菱瓦斯化学株式会社) JΡ

2001.06.05

3944626 A (Kosaku Honna, Nobuaki Shimizu, 文献3:US

Konuma Kurisaki) 1976.03.16

(1) 請求の範囲1, 5-7について 請求の範囲1, 5-7は、国際調査報告で引用された上記文献1および2から、

新規性・進歩性を有さない。

文献1および2には、炭素数10以上の三環式飽和炭化水素化合物を異性化し て、アダマンタン類を製造する方法において、晶析によってアダマンタン類を精製する方法が記載されている。また、濃縮行程、晶析行程を具体的にどのような手段によって行うかは、当業者が適宜設定する事項であるし、再結晶工程を導入するこ とも当業者にとって容易である。

(2)請求の範囲2-4について

請求の範囲2-4は、上記文献1および2と、文献3とから、進歩性を有さな

上記(1)参照。さらに、炭素数10以上の三環式飽和炭化水素化合物を不飽和 

したがって、これらの方法を採用することは当業者が容易になし得ることであ

る。

補充欄に続く゛



#### 補充櫚

いずれかの欄の大きさが足りない場合

#### 第 V 欄の続き

# 2. 文献及び説明 の続き

(3)請求の範囲8-11について

請求の範囲8-11は、上記文献1および2と、文献3とから、進歩性を有さない。

文献1および2には、炭素数10以上の三環式飽和炭化水素化合物を異性化して、アダマンタン類を製造する方法において、晶析によってアダマンタン類を精製する方法が記載されている。そして、異性化反応に固体触媒を用いることは、文献3に記載されているように当業者に公知の方法であって、この方法を採用することは当業者が容易になし得ることである。

(4)請求の範囲12,14-16について

請求の範囲12, 14-16は、上記文献1および2から、新規性・進歩性を有さない。

文献1および2には、炭素数10以上の三環式飽和炭化水素化合物を異性化して、アダマンタン類を製造する方法において、晶析によってアダマンタン類を精製する方法が記載されている。さらに、晶析後に洗浄溶媒で洗浄することも、文献1および2に記載されている。

(5)請求の範囲13について

請求の範囲13は、上記文献1および2と、文献3とから、進歩性を有さない。 、上記(4)参照。さらに、トリメチレンノルボルナンを異性化してアダマンタン類 を精製することは、文献3に記載されているように当業者に公知の方法であって、こ の方法を採用することは当業者が容易になし得ることである。

(6) 請求の範囲17, 19-22について

請求の範囲17,19-22は、上記文献1から、新規性・進歩性を有さない。 、文献1には、炭素数10以上の三環式飽和炭化水素化合物を異性化して、アダマン タン類を製造する方法において、結晶を乾燥することが記載されている。

(7)請求の範囲18について

請求の範囲18は、上記文献1と、3とから、進歩性を有さない。

上記(6)参照。さらに、トリメチレンノルボルナンを異性化してアダマンタン類を精製することは、文献3に記載されているように当業者に公知の方法であって、この方法を採用することは当業者が容易になし得ることである。